

Honolulu, Hawaii

FEB 06 2014

RE: S.B. No. 3038

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 3038 entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII LABOR RELATIONS  
BOARD,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that when selecting an appointee to serve as an acting member of the Hawaii Labor Relations Board during the temporary absence from the State, temporary inability to act, or illness of any regular member, the Governor shall first consider persons included on a list of names submitted by employee organizations if the regular member is the representative of labor; and
- (2) Require that all parties to a hearing before the Hawaii Labor Relations Board be provided written notice of a hearing by first class mail or by electronic service through a company designated by the board.

Your Committee received testimony in support of this measure from the Hawaii Labor Relations Board.

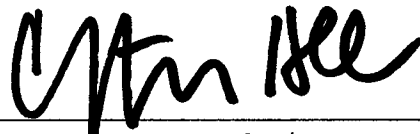
Your Committee finds that this measure clarifies that an employee organization is allowed to submit names to the Governor for consideration if a regular Hawaii Labor Relations Board member who is temporarily unable to serve is the representative of labor, rather than a representative of management or labor.



Your Committee further finds that existing law requires that all parties to a Hawaii Labor Relations Board hearing be provided written notice by first class mail. The Hawaii Labor Relations Board testified that beginning on February 17, 2014, the board plans to offer an electronic filing service to parties. Parties who register with this service agree to be served electronically through this system, while parties who do not register will be served by first class mail. This measure effectuates under law the board's plans to serve notice electronically, through a company that is designated by the board, to parties who wish to register with the electronic filing system.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3038 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,



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CLAYTON HEE, Chair



The Senate  
Twenty-Seventh Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-weight: bold;">SB 3038</div>	Committee Referral: <div style="font-size: 1.2em; font-weight: bold;">JDL</div>	Date: <div style="font-size: 1.2em; font-weight: bold;">01-31-14</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les				✓
SOLOMON, Malama	✓			
SLOM, Sam				✓
TOTAL	5			2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted         <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div><b>Distribution:</b></div> <div>             Original File with Committee Report           </div> <div>             Yellow Clerk's Office           </div> <div>             Pink Drafting Agency           </div> <div>             Goldenrod Committee File Copy           </div> </div>				

**\*Only one measure per Record of Votes**